

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

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|---------------------------|---|--------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 3:08-CR-11 |
| |) | (Varlan / Shirley) |
| MARIO MELGAR, and |) | |
| JOSE ALBERTO AGUIRRE, |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate. This case is before the Court upon Joint Motion to Extend Motion Cut-Off Deadline [Doc. 20], filed by Defendant Mario Melgar and Defendant Jose Alberto Aguirre.

In support of their request, Mr. Melgar and Mr. Aguirre cite the need to review prior counsel's file and discovery from the government. The defendants state that they are continuing their factual investigation and have been receiving additional discovery materials from the government. They state their belief that an additional 14 days would afford a reasonable period of time is necessary for the identification and preparation of pretrial motions. The government does not oppose the request for additional time.

The Court finds that good cause has been shown to extend the deadline previously established for filing of motions by Mr. Melgar and Mr. Aguirre (which was February 14, 2008) to February 28, 2008, as requested. Accordingly, the Joint Motion to Extend Motion Cut-Off Deadline [Doc. 20] is **GRANTED**. Pretrial motions will be due on or before **February 28, 2008**. Should

such motions be filed, responses are due on or before **March 13, 2008**.

If pretrial motions are filed, the Court will ask the parties to address the approaching trial date of March 25, 2008, at the date and time previously scheduled for the Pretrial Conference, **March 6, 2008, at 10:00 a.m.** At that time the Court will schedule a hearing on the merits of any pretrial motions, as may be necessary.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge